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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,504	01/15/2004	Robert Beach	AP35641 - 072797.0268	6158
21003	7590	02/08/2006	EXAMINER MILORD, MARCEAU	
BAKER & BOTTS 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			ART UNIT 2682	PAPER NUMBER

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/758,504	BEACH ET AL.	
	Examiner	Art Unit	
	Marceau Milord	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-13, 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Connolly et al (US Patent No 6764012 B2) in view of Portaro et al (US Patent No 5946617).

Regarding claims 1-5, Connolly et al discloses a wireless data communications device (figs. 16-17), arranged to be installed in a light fixture having a lamp socket for receiving a lamp (col. 9, lines 2-56), comprising: a housing containing a wireless data communications radio arranged to communicate with mobile units and other fixed wireless communications devices forming a data communications network (col. 5, lines 26-46; col. 8, lines 19-33).

Connolly et al does not specifically disclose the feature of a connector on a housing arranged to engage said lamp socket on said light fixture; a socket on said housing arranged to receive a connector of a lamp and connected to receive power from said connector on said

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housing; and a power supply in said housing arranged to receive power from said connector on said housing and provide power to said wireless data communications radio.

On the other hand, Portaro et al, from the same field of endeavor, discloses a cellular communication system which eliminates high costs and difficulties associated with providing electrical power to the access points. The cellular communication system includes a remote power source which obviates the need to install an AC power outlet in close proximity to each access point. The remote power source transforms AC power to DC power at a central remote location, and provides as its output one or more low voltage DC power lines. By performing the AC/DC power transformation at a central location, only the low voltage DC power lines need to be fed to each access point. The remote power source also includes a backup power supply feature and an alarm to draw attention to system malfunctions (col. 2, lines 45-65). Furthermore, the power control section contains power control circuitry for monitoring and selecting the outputs of the respective converters. The power control section includes a housing which has several apertures through which "power side" light emitting diodes and "remote side" protrude such that they are visible to a user. The alarm illuminates instances where power supplied from any of the primary AC/DC converters drops below a threshold output level. Further, an alarm silencer button is also situated in the housing to allow a user to turn off a warning buzzer which is tripped in conjunction with the alarm LED (col. 3, lines 1-23; col. 4, lines 44-67; col. 6, lines 13-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Portaro to the communication system of Connolly in order to allow a user the flexibility to use a remote power source for providing power to access points.

Regarding claims 6-11, Connolly as applied to claim 5 above differs from claims 6-11 in the present invention, in that Connolly fails to disclose a radio that communicates with mobile units using IEEE Standard 802.11 protocol; wherein said radio communicates with mobile units using Bluetooth protocol.

On the other hand, Portaro et al, from the same field of endeavor, discloses a cellular communication system which eliminates high costs and difficulties associated with providing electrical power to the access points. The cellular communication system includes a remote power source which obviates the need to install an AC power outlet in close proximity to each access point. The remote power source transforms AC power to DC power at a central remote location, and provides as its output one or more low voltage DC power lines. By performing the AC/DC power transformation at a central location, only the low voltage DC power lines need to be fed to each access point. The remote power source also includes a backup power supply feature and an alarm to draw attention to system malfunctions (col. 2, lines 45-65). Furthermore, the power control section contains power control circuitry for monitoring and selecting the outputs of the respective converters. The power control section includes a housing which has several apertures through which "power side" light emitting diodes and "remote side" protrude such that they are visible to a user. The alarm illuminates instances where power supplied from any of the primary AC/DC converters drops below a threshold output level. Further, an alarm silencer button is also situated in the housing to allow a user to turn off a warning buzzer which is tripped in conjunction with the alarm LED (col. 3, lines 1-23; col. 4, lines 44-67; col. 6, lines 13-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Portaro to the communication system of Connolly

in order to allow a user the flexibility to use a remote power source for providing power to access points.

Regarding claims 12-13, 21, Connolly et al discloses a wireless data communications device (figs. 16-17), arranged to be installed in a light fixture having a lamp socket (col. 9, lines 2-56), comprising: a housing containing a wireless data communications radio arranged to communicate with mobile units and other fixed wireless communications devices forming a data communications network (col. 5, lines 26-46; col. 8, lines 19-33).

Connolly et al does not specifically disclose the feature of a connector on a housing arranged to engage said lamp socket on said light fixture; and a power supply in said housing arranged to receive power from said connector on said housing and provide power to said wireless data communications radio.

On the other hand, Portaro et al, from the same field of endeavor, discloses a cellular communication system which eliminates high costs and difficulties associated with providing electrical power to the access points. The cellular communication system includes a remote power source which obviates the need to install an AC power outlet in close proximity to each access point. The remote power source transforms AC power to DC power at a central remote location, and provides as its output one or more low voltage DC power lines. By performing the AC/DC power transformation at a central location, only the low voltage DC power lines need to be fed to each access point. The remote power source also includes a backup power supply feature and an alarm to draw attention to system malfunctions (col. 2, lines 45-65). Furthermore, the power control section contains power control circuitry for monitoring and selecting the outputs of the respective converters. The power control section includes a housing which has

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several apertures through which "power side" light emitting diodes and "remote side" protrude such that they are visible to a user. The alarm illuminates instances where power supplied from any of the primary AC/DC converters drops below a threshold output level. Further, an alarm silencer button is also situated in the housing to allow a user to turn off a warning buzzer which is tripped in conjunction with the alarm LED (col. 3, lines 1-23; col. 4, lines 44-67; col. 6, lines 13-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Portaro to the communication system of Connolly in order to allow a user the flexibility to use a remote power source for providing power to access points.

Regarding claim 22, Connolly et al discloses a wireless data communications device (figs. 16-17), arranged to be installed in a florescent light fixture having first and second spaced lamp sockets arranged to receive a florescent tube (col. 9, lines 2-56), comprising: a housing containing a wireless data communications radio arranged to communicate with mobile units and other fixed wireless communications devices forming a data communications network (col. 5, lines 26-46; col. 8, lines 19-33).

Connolly et al does not specifically disclose the feature of a first and second spaced connectors on said housing arranged to engage said lamp sockets on said light fixture; and a power supply in said housing arranged to receive power from said connectors on said housing and provide power to said wireless data communications radio, said power supply further including a circuit for emulating the impedance behavior of a florescent tube.

On the other hand, Portaro et al, from the same field of endeavor, discloses a cellular communication system which eliminates high costs and difficulties associated with providing

electrical power to the access points. The cellular communication system includes a remote power source which obviates the need to install an AC power outlet in close proximity to each access point. The remote power source transforms AC power to DC power at a central remote location, and provides as its output one or more low voltage DC power lines. By performing the AC/DC power transformation at a central location, only the low voltage DC power lines need to be fed to each access point. The remote power source also includes a backup power supply feature and an alarm to draw attention to system malfunctions (col. 2, lines 45-65). Furthermore, the power control section contains power control circuitry for monitoring and selecting the outputs of the respective converters. The power control section includes a housing which has several apertures through which "power side" light emitting diodes and "remote side" protrude such that they are visible to a user. The alarm illuminates instances where power supplied from any of the primary AC/DC converters drops below a threshold output level. Further, an alarm silencer button is also situated in the housing to allow a user to turn off a warning buzzer which is tripped in conjunction with the alarm LED (col. 3, lines 1-23; col. 4, lines 44-67; col. 6, lines 13-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Portaro to the communication system of Connolly in order to allow a user the flexibility to use a remote power source for providing power to access points.

3. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Connolly et al (US Patent No 6764012 B2) in view of Portaro et al (US Patent No 5946617), as applied to claim 12 above, and further in view of Mahany et al (US Patent No 6654378 B1).

Regarding claim 14, Conolly and Portaro disclose everything claimed as explained above except the features of a wireless communications radio that is arranged to act as a master device and communicate with mobile units and arranged to act as a slave device and communicate with at least one other fixed location wireless communications device.

However, Mahany shows a typical communication exchange between a peripheral LAN master device having virtually unlimited power resources and a peripheral LAN slave device. The master periodically transmits an idle sense message indicating that it is available for communication or that it has data for transmission to a slave device (figs. 11a-11b; col. 22, lines 30-67). In addition, the master mobile network participates as a master device in the peripheral sub network, and when within range of one of the first plurality of network devices, the mobile network device participates as a slave device in the wireless premises network (col. 5, lines 1-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Mahany to the modified system of Portaro and Connolly in order to use access point device that can be participated as a slave device to the longer range communication, and as a master device to the shorter range communication network.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 571-272-7853. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, To H. Doris can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MARCEAU MILORD

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Art Unit 2682


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2-5-06